

1 WENDY MEDURA KRINCEK, ESQ., Bar # 6417
2 DUSTIN L. CLARK, ESQ., Bar # 10548
3 LITTLER MENDELSON, P.C.
4 3960 Howard Hughes Parkway
5 Suite 300
6 Las Vegas, NV 89169-5937
7 Telephone: 702.862.8800
8 Fax No.: 702.862.8811

9
10 Attorneys for Petitioners
11 24 HOUR FITNESS USA, INC. AND SPORT AND FITNESS
12 CLUBS OF AMERICA, INC.
13

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15 UNITED STATES DISTRICT COURT
16 DISTRICT OF NEVADA

17 24 HOUR FITNESS USA, INC., a
18 California corporation dba 24 HOUR
19 FITNESS; SPORT AND FITNESS
20 CLUBS OF AMERICA, INC., a California
21 corporation dba 24 HOUR FITNESS,

22 Case No. 2:11-cv-01956-KJD-CWH
23 **STIPULATION FOR DISMISSAL**

24 Petitioners,

25 vs.

26 MICHAEL MCMAHON,

27 Respondent.

28 Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the parties to this
1 action, through their designated counsel, hereby stipulate to the dismissal of this action, without
2 prejudice. The parties further stipulate that this dismissal is without prejudice to Defendant's right to
3 seek attorneys' fees at a later time, should the matter not be finally resolved through settlement.

4 IT IS SO STIPULATED.

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2 Dated: March 26, 2013

3 Respectfully submitted,

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5 /s/ Dustin L. Clark
6 WENDY MEDURA KRINCEK, ESQ.
7 DUSTIN L. CLARK, ESQ.
8 LITTLER MENDELSON, P.C.
9 Attorneys for Petitioners 24 HOUR FITNESS
10 USA, INC. AND SPORT AND FITNESS CLUBS
11 OF AMERICA, INC.

12 Dated: March 26, 2013

13 /s/ Justin P. Karczag
14 FOLEY BEZEK BEHLE & CURTIS, LLP
15 T: 702.637.7110
16 F: 702.637.7119
17 Justin P. Karczag
18 Nevada Bar Number: 12414
19 11201 S Eastern Avenue, Suite 100
20 Henderson, NV 89052
21 E-mail: Jkarczag@foleybezeik.com
22 COUNSEL FOR RESPONDENT

23 **ORDER**

24 **IT IS SO ORDERED.**

25 Dated: 3/26, 2013



26 UNITED STATES DISTRICT COURT JUDGE

27 Firmwide:119277062.1 034670.1216